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**Via ECF**

The Hon. Katharine H. Parker  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312

Re: *The Gap, Inc. v. Ponte Gadea New York LLC*  
Case No. 1:20-cv-4541 (LTS) (KHP)

Dear Magistrate Judge Parker:

We represent plaintiff The Gap, Inc. ("Gap") in the above-captioned action.

At present, Gap's submission to the Court regarding what the Court has described (in its August 10, 2021 Opinion and Order on Damages) as "the fair market value of the Premises" is due on October 1. Defendant Ponte Gadea New York LLC ("Ponte Gadea") filed its submission on September 10 (ECF No. 95). Ponte Gadea's submission included "expert" and fact declarations that Gap believes give rise to a need for discovery regarding these issues (particularly in light of the fact that Ponte Gadea has taken the position that the fair market value is \$0). Gap has requested such discovery, and Ponte Gadea has refused to provide it.

Rather than engage in a lengthy back and forth via a letter motion, we believe it would be more efficient (and less of a burden on the Court's time and resources) if we could address this discovery issue with the Court via a telephonic conference. We respectfully request that such a conference be scheduled at the Court's earliest convenience. If it is not possible to conduct such a conference by September 29, we would request that the deadline for Gap's submission be extended to provide sufficient time for the parties to address this issue with the Court.

We are available to address any questions Your Honor may have regarding the above at the Court's convenience.

Respectfully submitted,

*Joshua H. Epstein*

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